

5566. Misbranding of cottonseed meal. U. S. * * * v. Ralston Purina Co., a corporation. Plea of guilty. Fine, \$250 and costs. (F. & D. No. 7816. I. S. No. 19966-1.)

On January 2, 1917, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ralston Purina Co., a corporation, St. Louis, Mo., doing business at East St. Louis, Ill., alleging shipment by said company, on or about March 23, 1916, from the State of Illinois into the State of Iowa, of a quantity of an article labeled in part, "Winner Prime Cottonseed Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)	13.3
Nitrogen (per cent)	5.73
Protein (N x 6.25) (per cent)	35.8
Ammonia (NH ₃) (per cent)	6.98

The results show that the article contains less nitrogen, less ammonia, less protein, and more fiber than the amount declared upon the label.

Misbranding of the article was alleged in substance in the information for the reason that the statement borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, to wit, "Guarantee protein 38.5 to 41.00 per cent minimum; * * * ammonia, 7.50 per cent minimum; nitrogen, 6.18 per cent minimum; crude fiber, 12.00 per cent maximum," was false and misleading in that it represented that said article contained not less than the percentages named above of protein, ammonia, and nitrogen, and not more than the percentage named above of crude fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than the percentages named above of protein, ammonia, and nitrogen, and not more than the percentage named above of crude fiber, whereas, in truth and in fact, it contained less than the above-named percentages of protein, ammonia, and nitrogen, and more than the above named percentage of crude fiber, to wit, approximately 35.8 per cent of protein, approximately 6.98 per cent of ammonia, approximately 5.73 per cent of nitrogen, and approximately 13.3 per cent of crude fiber.

On May 21, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$250 and costs.

C. F. MARVIN, Acting Secretary of Agriculture.